

United States Senate
WASHINGTON, DC 20510-2002

September 27, 2005

Dr. Stephen L. Johnson
Administrator
Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue NW
Washington, D.C. 20460

Dear Administrator Johnson:

Enclosed is a copy of correspondence I received from (b) (6) letter raises concerns regarding the wastewater treatment plant on Frederick Street in Hagerstown, Maryland and I would greatly appreciate your careful review of this issue and any information you may be able to provide for an appropriate response. Thank you for your assistance on this matter.

With best regards,

Sincerely,



Paul Sarbanes
United States Senator

PSS/nmm
Enclosure

View f:\emailobj\200509\1\96111100.txt

From: (b) (6)
 Date: 9/6/2005 11:09:39 AM
 To: webmail@sarbanes-iq.senate.gov
 Subject: Poor Air Quality due to Waste Water Treatment Plant

Honorable Paul Sarbaines,

I live in have lived in Hagerstown, Maryland for the past twenty-eight years. This is a wonderful place to live with such a rich filled history within the area. That is what keeps me here. I do have a very serious in nature problem that only your level in government may assist me to resolve. As you well know, Hagerstown has a problem surrounding the water waste treatment plant off of Frederick street. I moved into my current house at (b) (6) around 6 years ago. The first two years I was in contact with the local EPA about the strong odor of the air at my property. At the time the one EPA agent as us to give the city time to complete some updates that was being installed. The new updates would correct the air quality and should improve greatly. Well, years have passed, and improvement were made and for a slight period in time so did the odor problem. The last two years our problem came back. This time worse that ever. Many of my neighbors have compla! ined to me. Of resent, September 4th and 5th., the air smelled so bad that it came into the houses. Not only could one not have any life outside, but inside as well. WE NEED YOUR HELP! The apartment complex, and nursing home tenants are leaving the area due to the current conditions. The local EPA offers nothing to help. We need results and I hope by sending this to you that your voice would begin to make the difference and we will soon be able to sit outside and enjoy the balance of this summer without any odor in the air to offend anyone. I would very much like to extend yourself and other government officials to visit with me any evening to begin to address this issue. The smell has been more severe in the evenings.

Thanks

(b) (6)

(b) (6) after 6:00pm

==== Original Formatted Message Starts Here =====

Sender's IP address = 24.53.152.194
 <APP>SCCMAIL
 <PREFIX>Mr.</PREFIX>
 <FIRST>Donald </FIRST>
 <LAST>Seburn</LAST>
 <ADDR1>1216 Frederick Street</ADDR1>
 <ADDR2></ADDR2>
 <CITY>Hagerstown</CITY>
 <STATE>MD</STATE>
 <ZIP>21740</ZIP>
 <></>
 <EMAIL>d_seburn@att.net</EMAIL>
 <ISSUE>Health</ISSUE>
 <MSG>Honorable Paul Sarbaines,

I live in have lived in Hagerstown, Maryland for the past twenty-eight years. This is a wonderful place to live with such a rich filled history within the area. That is what keeps me here. I do have a very serious in nature problem that only your level in government may assist me to resolve. As you well know, Hagerstown has a problem surrounding the water waste treatment plant off of Frederick street. I moved into my current house at (b) (6) around 6 years ago. The first two years I was in contact with the local EPA about the strong odor of the air at my property. At the time the one EPA agent as us to give the city time to complete some updates that was being installed. The new updates would correct the air quality and should improve greatly. Well, years have passed, and improvement were made and for a slight period in time so did the odor problem. The last two years our problem came back. This time worse that ever. Many of my neighbors have compla!



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

AK-05-001-5304

The Honorable Paul S. Sarbanes
United States Senate
Washington, DC 20510

NOV 7 2005

Dear Senator Sarbanes:

Thank you for your letter dated September 27, 2005 to the U.S. Environmental Protection Agency (EPA) on behalf of your constituent, [REDACTED] (b) (6), regarding an odor problem emanating from a wastewater treatment plant on [REDACTED] (b) (6) in Hagerstown, Maryland.

Since odors can be caused by a variety of conditions at a wastewater treatment plant, and generally fall under the state's jurisdiction, EPA has contacted Mr. Mehdi Majedi at the Maryland Department of the Environment requesting additional information. EPA will be in further contact upon completion of this review.

If you have any questions, please do not hesitate to contact me or have your staff contact Mr. Shawn Garvin, Maryland Liaison, at 215-814-2998.

Sincerely,

Donald S. Welsh

Donald S. Welsh
Regional Administrator



United States Senate
WASHINGTON, DC 20510-2002

June 2, 2005

The Hon. Stephen Johnson
Administrator
Environmental Protection Agency
1200 Pennsylvania Ave, NW
Washington, D.C. 20460

Dear Administrator Leavitt:

Enclosed is a copy of correspondence I received from [REDACTED] (b) (6). The letter raises some serious concerns about secondary containment for parked trucks. I would certainly appreciate it if you would carefully review this matter and provide me with an appropriate response.

Your attention to this matter is greatly appreciated.

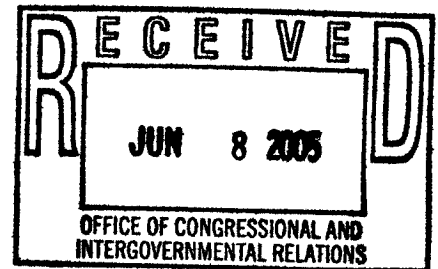
With best regards,

Sincerely,



Paul Sarbanes
United States Senator

PSS/gpa
Enclosure





Bay Land Aviation Inc.
5279 Airport Rd.
Salisbury, Md 21804

Phone 410-749-0324
Fax. 410-749-0035
Email: bayland@bwave.com

May 4, 2005

The Honorable Paul S. Sarbanes
United States Senate
SH-309 Senate Office Building
Washington, DC 20510

Dear Senator Sarbanes:

I am writing to bring to your attention an issue that could have a major impact on operations at thousands of general aviation airports across the country. Over the past few months, a number of aviation-fuel providers have been notified by the U.S. Environmental Protection Agency (EPA) that their fuel trucks are subject to regulation requiring so-called "secondary containment" while the trucks are parked. The EPA contends that these trucks are mobile or portable storage facilities subject to existing regulation and have been covered since the rules' inception in the early 1970s.

While aviation-fuel providers have routinely met other requirements of these regulations, the application of this particular requirement to fuel trucks is a new interpretation of these rules. Long-standing interpretations hold that airport-based fuel trucks are not storage facilities but are instead transportation vehicles subject to DOT regulations. The application of these requirements to fuel trucks at airports raises a number of troubling questions.

The physical requirements needed to comply with such a rule run counter to the safe and secure operation of airports. For example, it has been suggested that trucks must be parked in a bermed area to provide secondary containment. Vehicles would need to be parked in close proximity to each other, significantly increasing the damage caused by a fire on any one truck. In the unlikely event a spill did occur, fuel would pool near the vehicles, again raising the risk of fire.

Additionally, requiring trucks to be in such close proximity to each other greatly increases their vulnerability to terrorist attacks. Best practices for safety and security specifically argue against these requirements. Additionally, NATA has been unable to find an example of spontaneous spill from an aviation fuel truck while it is parked. Requiring secondary containment for parked trucks is not supported by this industry's history of handling aviation fuels.

This sudden shift in EPA policy comes without warning and places a costly and heavy burden on thousands of aviation businesses all across the country. An aviation coalition comprising representatives of the National Air Transportation Association (NATA), the Air Transportation Association of America (ATA), the American Association of Airport Executives (AAAE), and the Airports Council International - North America (ACI) has worked with EPA officials, but the agency has not been fully responsive to the needs of the industry. I urge you to contact the following members on the Senate Committee on Environment & Public Works to accept language being offered by the panel's chairman, Senator James Inhofe (R-OK), for inclusion within H.R. 3, *the Transportation Equity Act: A Legacy for Users*; that would exempt aviation fuel providers from any secondary containment requirements. These members include:

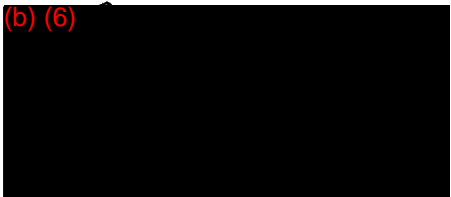
24/4550

- ❑ Senator James Jeffords, Ranking Democrat, Senate Committee on Environment & Public Works
& Senator Harry Reid, Senate Minority Leader
Contact: J.C. Sandberg, Counsel
(202) 224-8832 / jc_sandberg@epw.senate.gov
- ❑ Senator Max Baucus, Ranking Democrat, Senate Subcommittee on Transportation &
Infrastructure
Contact: Kathy Ruffalo-Farnsworth, Senior Policy Advisor
(202) 224-8832 / Kathy_Ruffalo@epw.senate.gov

Thank you for your support on this very important aviation issue.

Sincerely,

(b) (6)

A large black rectangular redaction box covers the signature area. The text "(b) (6)" is printed in red at the top left corner of the redacted area.

CC: Stephen Beaulieu, Manager, Legislative Affairs, National Air Transportation Association



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

JUL 29 2005

OFFICE OF
SOLID WASTE AND
EMERGENCY RESPONSE

The Honorable Paul S. Sarbanes
United States Senate
Washington, D.C. 20510

Dear Senator Sarbanes:

Thank you for your letter of June 2, 2005 referencing a May 4, 2005 letter from your constituent (b) (6) expressed concern regarding the application of the Spill Prevention, Control, and Countermeasure (SPCC) rule to mobile refueling trucks at airports. Your letter has been referred to me for reply.

Over the past few years, EPA has met and corresponded with the National Air Transportation Association (NATA) and other representatives of the aviation industry. As a result, EPA has gained much insight into the concerns that members of NATA have with the SPCC rule.

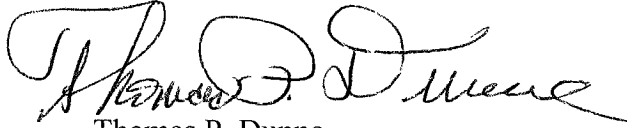
In his letter (b) (6) mentioned that the application of the secondary containment requirement to fuel trucks is a new interpretation of the SPCC rules and that "this sudden shift in EPA policy comes without warning..." The secondary containment requirement is not new. The requirement for secondary containment of all types of oil storage containers has been in place since promulgation of the 1974 SPCC regulation (40 CFR 112). We note that in 2002 we amended the original SPCC rule; while these amendments did not create the requirements for secondary containment of mobile/portable containers, they did serve to heighten the awareness of the SPCC rule by members of the regulated community.

(b) (6) also questioned the jurisdictional authority of EPA to regulate refueling trucks at airports. EPA's jurisdiction was established in a 1971 Memorandum of Agreement (MOA) that has not changed over time. Specifically, DOT has regulatory authority for the transportation of oil, and EPA has regulatory authority for all non-transportation related facilities for the use, storage and handling of oil. The EPA-DOT MOA identifies the movement of oil within an SPCC regulated facility to be non-transportation, subject to EPA jurisdiction.

Nevertheless, I want to assure you that EPA recognizes, and is sensitive to, the concerns expressed by airports that SPCC requirements pose unique challenges for mobile/portable containers located or operating in air operations areas. Therefore, we are considering these concerns as the Agency decides what changes, if any, should be made to the regulations that we expect to propose in August 2005.

Again, thank you for your interest in EPA's spill prevention program. If you have any further questions, please contact me, or your staff may contact Josh Lewis in EPA's Office of Congressional and Intergovernmental Relations at (202) 564-2095.

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas P. Dunne". The signature is fluid and cursive, with the first name "Thomas" being the most prominent.

Thomas P. Dunne
Deputy Assistant Administrator



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

APR 07 2006

ASSISTANT ADMINISTRATOR
FOR ENFORCEMENT AND
COMPLIANCE ASSURANCE

The Honorable Paul S. Sarbanes
United States Senate
309 Hart Senate Office Building
Washington, DC 20510

Dear Senator Sarbanes:

Thank you for your letter of March 1, 2006, concerning the Environmental Protection Agency's (EPA) Air Compliance Agreement for Animal Feeding Operations (the Agreement). We appreciate the opportunity to address the concerns raised in your constituent, (b) (6) correspondence on this important issue.

The Agreement is a voluntary settlement between EPA and participating farmers. Under the proposed Agreement, EPA and farmers will jointly conduct monitoring to determine emissions factors from various types of operations across geographic regions and species. EPA is addressing the need for additional research on air emissions from animal feeding operations (AFOs). In 2003, the National Academy of Sciences – an independent nonprofit research academy – released a report emphasizing the need for additional research on measuring, estimating, and mitigating AFO air emissions. Participating farmers will benefit from the increased certainty of knowing their obligations under various environmental statutes and the development of emission control technologies. EPA believes that this approach is superior to any of the traditional enforcement alternatives.

(b) (6) expressed concern that the Agreement would exempt thousands of farms from past violations. Participating farms will pay a penalty to resolve potential current and past violations of the Clean Air Act (CAA), the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), and the Emergency Planning and Community Right to Know Act (EPCRA).

(b) (6) also expressed concern that the Agreement would allow farms to pollute the nation's air and water for the next four years. The Agreement requires all participating AFOs to comply with CAA requirements, including applicable permit and control requirements. EPA has no intention of shielding the conduct of those who violate our nation's environmental laws. Furthermore, under the Agreement, EPA retains its authority to prosecute cases that may

present an imminent and substantial endangerment to human health and the environment. In addition, participants lose all protections of the Agreement if they fail to comply with final state orders relating to the abatement of nuisance.

EPA remains committed to taking all necessary enforcement actions to protect human health and the environment. EPA, in conjunction with other federal agencies and state and local governments, is working to ensure that AFOs comply with our environmental laws. EPA has taken numerous enforcement actions against AFOs for violations of the Clean Water Act, the Safe Drinking Water Act, the CAA, and other laws.

During the monitoring study and after results are available, EPA's Office of Air and Radiation will be developing emission-estimating methodologies which will then enable us to determine the applicable requirements for these facilities under the CAA, CERCLA, and EPCRA. The Agreement specifies the timeframes for farms to file for permits and meet certain reporting requirements if they exceed the various emissions thresholds.

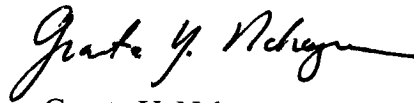
We are confident the excellent response to this effort will enable the Agency to collect valuable information regarding AFOs. The analyses of this information will then allow us to be responsive to the National Academy of Sciences' 2003 report on AFOs and support our efforts to assure compliance with the CAA, CERCLA, and EPCRA.

Again, thank you for your letter. For further information regarding the Agreement, please visit our website at the following location:

<http://www.epa.gov/compliance/resources/agreements/caa/cafo-agr-0501.html>

If you have further questions, please contact me, or your staff may contact Carolyn Levine of EPA's Office of Congressional and Intergovernmental Relations at (202) 564-1859.

Sincerely,

A handwritten signature in black ink, appearing to read "Granta Y. Nakayama". The signature is fluid and cursive, with a long horizontal stroke at the end.

Granta Y. Nakayama

United States Senate

WASHINGTON, DC 20510-2002

June 20, 2005

The Honorable Stephen L. Johnson
Administrator
Environmental Protection Agency
1200 Pennsylvania Ave, NW
Washington, D.C. 20460

Dear Administrator Johnson:

It has come to our attention that EPA has recently announced a 45-day delay in the implementation schedule for the ultra low sulfur diesel (ULSD) rule to allow more time for pipelines and terminal operators to comply with the ULSD standard. We are writing to express our concerns about this delay and to urge you to ensure that this important public health program is fully implemented in accordance with the standards and schedule promulgated in the rule.

Diesel trucks and buses currently contribute nearly 30 percent of the nitrogen oxide (NOx) and 20 percent of the particulate matter (PM) mobile source emissions nationwide. In many areas with serious air quality problems, these emissions are even higher. The final ULSD rule, which requires refiners and importers to produce highway diesel meeting a 15 parts per million (ppm) maximum requirement, starting June 1, 2006 and heavy duty diesel manufacturers to produce engines meeting this 15 ppm standard for model year 2007, is a vital part of the effort to reduce these pollutants. Once this action is fully implemented, harmful diesel emissions will be reduced by 95 percent.

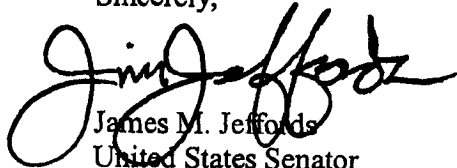
Since the final rule was published in January 2001, diesel engine manufacturers have invested hundreds of millions of dollars to develop new engines and emissions control systems and to retool manufacturing plants to achieve the USDL rule's required reductions in diesel engine emissions. Sulfur in diesel fuel must be lowered now to enable these new pollution-control technologies to be effective on these diesel engines. To change compliance requirements at this time by altering or delaying the standards would place a serious economic hardship on those who have acted in good faith to achieve these standards, as well as have serious impacts on our efforts to protect public health and the environment.

Your attention to this matter is greatly appreciated and we look forward to hearing from you.

Sincerely,



Paul S. Sarbanes
United States Senator



James M. Jeffords
United States Senator



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

SEP - 8 2005

OFFICE OF
AIR AND RADIATION

The Honorable Paul S. Sarbanes
United States Senate
Washington, D.C. 20510

Dear Senator Sarbanes:

Thank you for your letter of June 20, 2005, regarding your concern for any changes to the implementation schedule for the ultra low sulfur fuel diesel (ULSD) rule. I appreciate your concern and assure you that the Environmental Protection Agency is committed to widespread availability of diesel fuel that meets the 15 parts per million (ppm) standard in time for the model year 2007 vehicles.

EPA has been discussing the possibility of a 45-day extension to allow the diesel manufacturers time to complete the transition of their physical infrastructure to produce the ULSD. This delay will not impact scheduled launch dates for model year 2007 engines. We expect that 15 ppm ULSD will be broadly available nationwide by October.

We are in the process of drafting the regulatory language that would implement the extension and look forward to your support, as we strive to successfully implement this critically important environmental regulation.

Again, thank you for your letter and we look forward to your support as we move forward with this important environmental regulation. If you have further questions, please contact me or your staff may contact Diann Frantz, in EPA's Office of Congressional and Intergovernmental Relations, at (202) 564-3668.

Sincerely,

A handwritten signature in black ink, appearing to read "W L Wehrum", with a long horizontal flourish extending to the right.

William L. Wehrum
Acting Assistant Administrator

JOHN P. SARBANES
3RD DISTRICT, MARYLAND

COMMITTEE ON
ENERGY AND COMMERCE

COMMITTEE ON
NATURAL RESOURCES

Congress of the United States
House of Representatives
Washington, DC 20515-2003
www.sarbanes.house.gov

426 CANNON HOUSE OFFICE BUILDING
(202) 225-4016
FAX: (202) 225-9219

600 BALTIMORE AVENUE
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FAX: (410) 832-8898

44 CALVERT STREET
SUITE 349
ANNAPOLIS, MD 21401
(410) 295-1679
FAX: (410) 295-1682

June 11, 2009

Mr. Christopher P. Blilely
Associate Administrator for Congressional and Intergovernmental Relations
Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Dear Mr. Blilely:

Enclosed, please find a copy of correspondence from my constituent (b) (6).

This individual has expressed some concerns about a petition submitted to the Environmental Protection Agency (EPA) to allow ethanol-gasoline blends containing up to fifteen percent ethanol. I would appreciate it if you would carefully review their comments and provide a response to the concerns.

Thank you for your attention to this matter.

Sincerely,



John P. Sarbanes
Member of Congress

JPS/rc

E-Mail Viewer

Message

Details

Attachments

Headers

Source

HTML

From: "webforms@sarbanes.house.gov" <webforms@sarbanes.house.gov>
Date: 5/2/2009 11:36:12 AM
To: "md03ima@mail.house.gov" <md03ima@mail.house.gov>
Cc:
Subject: IMA MAIL ON Environment

RE: E15 ethenol waiver

(b) (6)

May 2, 2009

The Honorable John P. Sarbanes
House of Representatives
426 Cannon House Office Building
Washington, DC 20515-2003

Dear Representative Sarbanes:

Please help in defeating this waiver. It will hurt the boating and recreational industry not only in Maryland but nationwide. Marine and recreational engines are not tested or approved for anything higher than E10 ethenol. There are 20 million boaters in the US, and damage could result to the engines of their vessels if this waiver is allowed. Please Help!

Docket ID No. EPA-HQ-OAR-2009-0211

I am writing to strongly urge EPA to deny the petition submitted on March 6, 2009 by Growth Energy and 54 ethanol manufacturers requesting a waiver under Clean Air Act Sec. 211(f)(4) to allow ethanol-gasoline blends containing up to 15 percent ethanol by volume (E15). There is insufficient data to justify approving any increase in the ethanol blend limit, particularly for marine engines and recreational vessels for which there has been literally no testing done by EPA or the Department of Energy regarding durability, performance concerns, or emissions concerns associated with higher ethanol blends.

It is well-known that for marine and other small gasoline-powered engines that are designed, calibrated, and certified to run on not more than E10, higher concentrations of ethanol in fuel pose serious problems, including (1) Performance issues, such as drivability (i.e. starting, stalling, fuel vapor lock); (2) increased water absorption and phase separation of gasoline and water while in tank; (3) fuel tank corrosion, leading to oil/fuel leaks; (4) increased emissions, because the ignition of E15 creates a higher temperature than straight gasoline or E10; (5) damage to valves, push rods, rubber fuel lines and gaskets. All of these concerns raise significant safety issues with any increased ethanol blend, particularly for boaters who operate in harsh marine environments, often miles from shore.

EPA must thoroughly and comprehensively test recreational marine engines, fuel systems and components and demonstrate that E15 will not defeat

marine engine air emissions devices, poses safety risks to boating consumers, bring engines out of warranty, or otherwise damage the more than 18 million recreational boats currently in operation in the United States prior to approving E15. To date, such testing has not been conducted, nor will it be conducted prior to the waiver deadline of December 31, 2009.

Additionally, EPA should not approve a "partial" or "conditional" waiver allowing E15 or other increased ethanol blends for only certain vehicles. This will cause enormous consumer confusion, misfueling, and put consumers and their products at risk. There is clearly insufficient scientific and technical data to justify granting the Growth Energy petition at this time. Again, EPA should deny this waiver petition unless and until sufficient testing is completed, and until it is affirmatively demonstrated that higher ethanol blends will not damage marine engines, their air emissions devices, or pose safety risks to consumers.

Sincerely,

(b) (6)

Close



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

JUL - 9 2009

OFFICE OF
AIR AND RADIATION

The Honorable John P. Sarbanes
U.S. House of Representatives
Washington, D.C. 20515-2003

Dear Congressman Sarbanes:

Thank you for your June 11, 2009, letter forwarding an email from (b) (6). (b) (6) wrote concerning a recent waiver request to increase the allowable ethanol content of gasoline from the current limit of 10 percent to 15 percent by volume (E15). (b) (6) is concerned that such an increase will have an adverse impact on marine and recreational engines.

The U.S. Environmental Protection Agency (EPA) is carefully considering the waiver request we received from Growth Energy on March 6, 2009. A notice of its receipt was published in the Federal Register on April 21, 2009, and the public comment period will remain open until July 20, 2009. We will place your June 11, 2009, letter and (b) (6) email in the docket.

The issues raised by the waiver request are very important and complex. These include the impact of E15 on non-road engines such as those in marine and recreational applications. We anticipate a significant number of comments from a wide range of stakeholders in response to our request for public comment. In addition, we continue to work closely with the U.S. Department of Energy and the U.S. Department of Agriculture on this issue. We will take these comments and any other relevant information we receive into consideration and, using the best available technical data, make a determination on the waiver request.

Again, thank you for your letter. If you have further questions, please contact me or your staff may call Diann Frantz in EPA's Office of Congressional and Intergovernmental Relations at (202) 564-3668.

Sincerely,

A handwritten signature in black ink, appearing to read "Gina McCarthy", is written over the typed name.

Gina McCarthy
Assistant Administrator

JOHN P. SARBANES
3RD DISTRICT, MARYLAND

COMMITTEE ON
ENERGY AND COMMERCE

COMMITTEE ON
NATURAL RESOURCES

Congress of the United States
House of Representatives
Washington, DC 20515-2003

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FAX: (410) 295-1682

May 14, 2010

David McIntosh
Associate Administrator
Environmental Protection Agency
Congressional and Intergovernmental Relations
1200 Pennsylvania Avenue
Washington, DC 20460

Dear Mr.:

Enclosed, please find a copy of correspondence from my constituent (b) (6)

This individual has expressed some concerns about how automobiles contribute to the pollution entering the Cheasapeake Bay. I would appreciate it if you would carefully review their comments and provide a response to the concerns.

Thank you for your attention to this matter.

Sincerely,



John P. Sarbanes
Member of Congress

JPS/jn

E-Mail Viewer

Message

Details

Attachments

Headers

Source

HTML

From: "webforms@sarbanes.house.gov" <webforms@sarbanes.house.gov>

Date: 4/26/2010 10:02:52 AM

To: "md03ima@mail.house.gov" <md03ima@mail.house.gov>

Cc:

Subject: IMA MAIL ON Chesapeake Bay

After reading your recent e-mail regarding the Bay and what we can do to help prevent pollution that is causing major problems with the Bay, I am left to wonder exactly what significant benefit will accrue from driving my automobile less. Please provide me with technical details as to how much pollution and the nature of that pollution that is attributable to automobiles. As a scientist I would be curious about the EXACT calculated impact of cars on the current Bay crisis, which according to all reports I have read recently is due almost entirely to stormwater runoff. Please do not reply in generalities; I would like a technical reference and an actual predicted impact if all of us were to drive our cars 20 percent less. I would like this explained, because I think this auto issue is just another attempt to justify the famous Tax and Trade Bill, which would adversely affect the finances of this State's citizens and would do essentially nothing to improve the Bay.

[Close](#)



AL-10-000-8019

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

JUL 08 2010

The Honorable John P. Sarbanes
U.S. House of Representatives
Washington, D.C. 20515

Dear Representative Sarbanes:

Thank you for your letter of May 14, 2010 to the U.S. Environmental Protection Agency (EPA) on behalf of your constituent, (b) (6) regarding the impact of automobiles on pollution loadings to the Chesapeake Bay (Bay).

Air deposition of nitrogen is a significant problem in the Bay watershed. Approximately one-third of the nitrogen that reaches the Bay comes from emissions into the air from vehicles, industries, power plants, dry cleaners, gas-powered lawn tools and other emissions sources. Cars, trucks, and other on-road vehicles are a significant source of this airborne nitrogen in addition to chemical contaminants.

Our recently issued health report card, the 2009 Bay Barometer, indicates that as of 2009, Chesapeake Bay Program partners have met only nine percent of the goal for air pollution controls necessary to reduce nitrogen. While progress in this area is limited, it is expected to accelerate over the next several years. Federal and state laws, as well as regional restoration initiatives, will help reduce the amount of nitrogen and chemical contaminants that pollute the Bay and its tributaries.

Federal, state and local partners, however, cannot achieve the goals and outcomes needed to restore and protect the Bay without the help of individual citizens. Driving fewer miles, purchasing fuel-efficient automobiles, properly maintaining automobile systems, and avoiding unnecessary idling are ways that individuals can help to reduce pollution loadings from automobiles.

If you have any questions, please do not hesitate to contact me or have your staff contact Mrs. Linda Miller, EPA's Maryland Liaison, at 215-814-2068.

Sincerely,

Shawn M. Garvin
Regional Administrator



JOHN P. SARBANES

3RD DISTRICT, MARYLAND

COMMITTEE ON
NATURAL RESOURCES

COMMITTEE ON
SCIENCE, SPACE, AND TECHNOLOGY

Congress of the United States

House of Representatives

Washington, DC 20515-2003

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(410) 295-1679

FAX: (410) 295-1682

March 25, 2011

Mr. David McIntosh
Associate Administrator
Environmental Protection Agency
Congressional and Intergovernmental Relations
1200 Pennsylvania Avenue
Washington, DC 20460-0003

Dear Mr. McIntosh:

Enclosed, please find a copy of correspondence from my constituent (b) (6).

This individual has expressed some concerns about whether Maryland still receives federal funding for the Chesapeake Bay for testing automobile emission levels. I would appreciate it if you would carefully review their comments and provide a response to the concerns.

Thank you for your attention to this matter.

Sincerely,



John P. Sarbanes
Member of Congress

JPS/jn

E-Mail Viewer

Message

Details

Attachments

Headers

Source

HTML

From: "webforms@sarbanes.house.gov" <webforms@sarbanes.house.gov>
Date: 3/4/2011 1:36:27 PM
To: "Congressman John Sarbanes" <md03ima@mail.house.gov>
Cc:
Subject: IMA MAIL ON Chesapeake Bay

John,

I remember back in 1974 the Federal Government would give money to the state of Maryland to help clean up the bay if we would put in the Emmission Testing Stations. These stations main purpose is testing automobiles for emmission levels.

What happend to the money for that funding and are we still getting it for the Chesapeake Bay from the Governemnt? Also where does the Maryland State Lottery money go to support Maryland?

[Close](#)



AL-11-000-4973

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

APR 26 2011

The Honorable John P. Sarbanes
U.S. House of Representatives
Washington, D.C. 20515

Dear Representative Sarbanes:

Thank you for your letter of March 25, 2011 to the U.S. Environmental Protection Agency (EPA) on behalf of your constituent, (b) (6), regarding Chesapeake Bay (Bay) funding for the State of Maryland. (b) (6) inquired whether Maryland receives federal funding towards cleaning up the Bay for implementing a vehicle emissions testing program.

The motor vehicle emissions testing program is federally required in portions of Maryland by the Clean Air Act (CAA) as amended in 1990. Section 182 of the CAA (Title 42 of the United States Code, Chapter 85, Section 7511a) requires states to adopt an enhanced vehicle emission inspection to reduce hydrocarbon and nitrogen oxide emissions from in-use motor vehicles in urbanized portions of areas designated nonattainment for the ozone national ambient air quality standard (NAAQS). An area is required to have a vehicle emissions testing program if the area is designated nonattainment for the ozone NAAQS (and is classified by EPA as serious or worse nonattainment) and has an urbanized population over 200,000 persons (based on the 1980 Census).

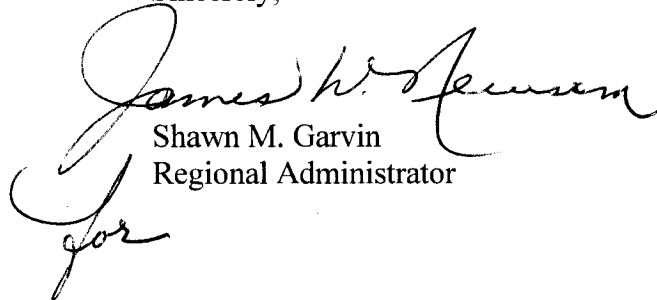
Congress established a Northeast Ozone Transport Region (OTR) under Section 184 of the CAA (42 USC 7511c) to address regional ozone formation and transport, which includes Maryland. Under the plan provisions of that section of the statute, enhanced emissions testing is required to be implemented in each Census-defined metropolitan statistical area (or portion of a multi-state metropolitan statistical area) having a population of 100,000 or more.

Air pollution affects not only the quality of the air we breathe, but also the land and the water through deposition. Airborne nitrogen is a major contributor to pollution of the Bay and accounts for about one third of the total nitrogen pollution to the Bay. Nitrogen oxides are a byproduct of combustion of fossil fuels such as oil, gas, and coal, coming primarily from mobile sources such as motorized vehicles and equipment, as well as from large and small stationary combustion processes. Nitrogen oxides account for approximately 60 percent of the inorganic airborne nitrogen that deposits in the Bay. Nitrogen deposition from air comes in part from local sources within the Chesapeake Bay watershed, and in part from airborne transport from a much broader area.

Since, the passage of the CAA of 1990, Maryland has been required by federal law to implement and operate an emissions testing program. The Maryland Department of the Environment and the Maryland Vehicle Administration jointly administer the Maryland Vehicle Emission Inspection Program (VEIP) in 13 counties and Baltimore City, comprised of a network of 18 centralized inspection program stations. Maryland's VEIP is an important element of the state's plan to improve air quality. The program requires emission testing every two years for subject vehicles in applicable counties. Vehicles that fail to meet emissions standards are required to undergo repairs. Maryland funds the VEIP through a motorist test fee of \$14 for the inspection. VEIP significantly reduces vehicle emissions that contribute to Maryland's air quality problem of ground-level ozone.

If you have any questions, please do not hesitate to contact me or have your staff contact Mrs. Linda Miller, EPA's Maryland Liaison, at 215-814-2068.

Sincerely,

A handwritten signature in cursive script, appearing to read "Shawn M. Garvin".

Shawn M. Garvin
Regional Administrator



JOHN P. SARBANES
3RD DISTRICT, MARYLAND

COMMITTEE ON
ENERGY AND COMMERCE

COMMITTEE ON
NATURAL RESOURCES

Congress of the United States
House of Representatives

Washington, DC 20515-2003

www.sarbanes.house.gov

November 9, 2010

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FAX: (410) 295-1682

The Honorable Lisa Jackson
Administrator
Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, D.C. 20004

Dear Administrator Jackson:

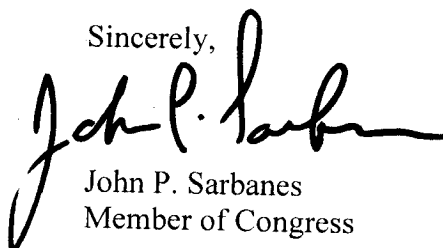
Thank you for your hard work and that of your staff in developing the Chesapeake Bay Total Maximum Daily Load (TMDL) requirements. I strongly support the ambitious nutrient reduction goals and timeline you have set for implementation of this important Bay clean up initiative. I also want to draw your attention to legislation I recently introduced, the Save the Bay Homeowner Act of 2010 (H.R. 6382), which would allow the 17 million citizens of the Chesapeake Bay watershed to become citizen stewards of the Bay and give them an active role in restoring it. I hope you will include a similar approach in the final TMDL rule.

H.R. 6382 directs the EPA to develop a "Save the Chesapeake Bay Home" designation program that identifies various steps homeowners could voluntarily take around their property to reduce nutrient and sediment runoff and improve water quality in local streams and rivers that feed into the Bay. If a participating home meets certain standards, as developed by the EPA, that home could be designated a "Save the Chesapeake Bay Home." The bill further directs the EPA to give credit to states and local jurisdictions for nutrient and sediment level reduction based upon the number of homeowners that achieve the "Save the Chesapeake Bay Home" designation.

I would urge the Environmental Protection Agency to develop a "Save the Chesapeake Bay Home" designation program in the process of finalizing the Chesapeake Bay TMDL. As state and local governments look for tools to meet new nutrient reductions standards, programs like this can offer new innovative and cost effective ways to help communities meet these requirements. By engaging the millions of people living within the watershed to become citizen stewards of the streams and rivers in their community, we can make additional strides toward truly saving the Chesapeake Bay.

Thank you in advance for your prompt attention to this important issue. Should your staff have any questions, please feel free to contact Jim Notter on my staff at (202) 225-4016 or jim.notter@mail.house.gov.

Sincerely,



John P. Sarbanes
Member of Congress



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

AL-10-001-8856

DEC 02 2010

The Honorable John P. Sarbanes
U.S. House of Representatives
Washington, D.C. 20515

Dear Representative Sarbanes:

Thank you for your letter of November 9, 2010 to the U.S. Environmental Protection Agency (EPA) regarding your support for the draft Chesapeake Bay Total Maximum Daily Load (TMDL).

Your expression of support for our shared goal of restoration and protection of the Chesapeake Bay as well as your suggestion that EPA develop a "Save the Chesapeake Bay Home" designation program is appreciated. We will consider your comments and suggestions as we proceed with our deliberations regarding the establishment of the final Bay TMDL.

If you have any questions, please do not hesitate to contact me or have your staff contact Mrs. Linda Miller, EPA's Maryland Liaison, at 215-814-2068.

Sincerely,

A handwritten signature in cursive script, reading "Shawn M. Garvin", is positioned above the typed name.

Shawn M. Garvin
Regional Administrator

JOHN P. SARBANES

3RD DISTRICT, MARYLAND

COMMITTEE ON
NATURAL RESOURCES

COMMITTEE ON
SCIENCE, SPACE, AND TECHNOLOGY

Congress of the United States
House of Representatives
Washington, DC 20515-2003

www.sarbanes.house.gov

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FAX: (410) 295-1682

March 25, 2011

Mr. David McIntosh
Associate Administrator
Environmental Protection Agency
Congressional and Intergovernmental Relations
1200 Pennsylvania Avenue
Washington, DC 20460-0003

Dear Mr. McIntosh:

Enclosed, please find a copy of correspondence from my constituent (b) (6).

This individual has expressed some concerns about a new national permit for pesticide application. I would appreciate it if you would carefully review their comments and provide a response to the concerns.

Thank you for your attention to this matter.

Sincerely,



John P. Sarbanes
Member of Congress

JPS/jn

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HTML

From: "webforms@sarbanes.house.gov" <webforms@sarbanes.house.gov>
Date: 3/3/2011 1:32:07 PM
To: "Congressman John Sarbanes" <md03ima@mail.house.gov>
Cc:
Subject: IMA MAIL ON Agriculture

Dear Congressman Sarbanes,

The undersigned organizations represent a diverse group of public and private sector stakeholders who could be significantly impacted by a new federal policy under which EPA and delegated states will issue Clean Water Act National Pollutant Discharge Elimination System (NPDES) general permits for certain pesticide applications. This unprecedented action is the result of a 2009 decision of the 6th Circuit U.S. Court of Appeals.

This national permit proposal couldn't come at a worse time as our national economy struggles to recover from the recession. This proposal will hit all levels of government and industry, causing further unfunded mandates on fragile industries and governments, creating additional red tape, squeezing existing resources, and threatening further legal liabilities.

Pesticides play an important role in protecting the nation's food supply, public health, natural resources, infrastructure and green spaces. They are used not only to protect crops from destructive pests, but also to manage mosquitoes and other disease carrying pests, invasive weeds and animals that can choke our waterways, impede power generation, and damage our forests and recreation areas.

For most of the past four decades, water quality concerns from pesticide applications were addressed within the registration process under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) rather than a Clean Water Act permitting program. We believe these NPDES permits will not provide any identifiable additional environmental benefits.

The permits' complex compliance requirements will impose tremendous new burdens on thousands of small businesses, farms, communities, counties, and state and federal agencies legally responsible for pest control, and expose them to legal jeopardy through citizen suits over paperwork violations. Ultimately, the permit could jeopardize jobs, the economy and human health protections across America as regulators and permittees struggle to implement and comply with these permits.

We ask Congress to take action before the permits become final. The permit includes unrealistic deadlines for state delegated implementation and compliance, and it has become abundantly clear that many states will not meet the court ordered implementation date of April 9, 2011. Even at this late date, EPA has yet to release a final permit. Moreover, pesticide users will not have time to fully understand or come into compliance with the permits by the deadline, further increasing their liability.

Time is of the essence for Congress to address this looming regulatory threat. We are ready to help you in this effort in any way we can.

Sincerely,

(b) (6)

Close



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

APR 28 2011

OFFICE OF
WATER

The Honorable John P. Sarbanes
U.S. House of Representatives
Washington, DC 20515

Dear Congressman Sarbanes:

Thank you for your March 25, 2011, letter to U.S. Environmental Protection Agency (EPA) Administrator Lisa P. Jackson requesting consideration of a letter sent to you by your constituent [REDACTED] (b) [REDACTED] expressed concern that EPA and States continue to develop a Clean Water Act (CWA) National Pollutant Discharge Elimination System (NPDES) Pesticides General Permit (PGP) for certain pesticide discharges that will impose significant new burdens to thousands of businesses, farms, and communities.

In 2006, EPA promulgated a rule that clarified that NPDES permits are not necessary for certain discharges to waters of the United States from the application of pesticides to or over, including near such waters. The 2006 rule was challenged in court, and on January 7, 2009, the U.S. Court of Appeals for Sixth Circuit vacated that rule. As a result of the Court's ruling, certain discharges from the application of pesticides are now required to be covered under an NPDES permit. EPA requested and received a stay of the Court's decision, until October 31, 2011, to provide time for the Agency and the states to develop the necessary permits for such discharges and to provide time for outreach to affected stakeholders. As a result, effective October 31, 2011, certain discharges from the application of pesticides must be covered under an NPDES permit, whether or not those discharges are already regulated under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA).

Since the Court's decision, EPA has been working closely with states (as co-regulators) and other stakeholders (e.g., numerous industry and environmental groups) to develop an NPDES general permit that will provide pesticide applicators with an option for complying with the CWA. With respect to the concerns raised by your constituent regarding the potential burden this permit could impose on the applicator industry, EPA developed this permit with the goals of not causing undue burden upon pesticide applicators, not duplicating requirements already in effect under existing laws, regulations, and permits, and providing a legally defensible permit that implements the necessary Clean Water Act protections regarding the application of pesticides. EPA proposed its draft PGP on June 4, 2010 and provided 45 days for public comment. The Agency received more than 750 sets of comments on that draft permit. EPA is considering all comments submitted, such as those expressed by your constituent, to develop a

final permit that appropriately balances the costs of implementation with the environmental protections required by the Clean Water Act.

On April 1, 2011, EPA posted a pre-publication version of the draft final permit on the Agency website at www.epa.gov/npdes/pesticides. This pre-publication version of the draft final pesticide general permit has concluded inter-agency review by the Office of Management and Budget. EPA is currently engaged in consultation with federal resource agencies under the Endangered Species Act (ESA), and this version of the draft final permit does not contain any additional or revised conditions that may result from ongoing ESA consultation. Terms resulting from ESA consultation may be added to this posted version of the permit when the final permit is issued. Since states are not generally required to perform ESA consultation to issue their permits, this preview of the draft final permit is intended to provide states with a complete picture of EPA's "pre-ESA consultation" permit requirements that may be used to develop state permits.

EPA's permit, when final and effective beginning October 31, 2011, will be available in those areas where States do not issue NPDES permits. Concurrent with EPA's PGP development, 44 NPDES-authorized states, including Maryland, are also developing similar NPDES pesticide general permits. For more detailed information on these new requirements, please refer to EPA's NPDES website at www.epa.gov/npdes/pesticides.

Again, thank you for your letter. If you have further questions, please contact me or your staff may call Greg Spraul in EPA's Office of Congressional and Intergovernmental Relations at 202-564-0255.

Sincerely,

A handwritten signature in black ink, appearing to read "Nancy K. Stoner", with a stylized flourish at the end.

Nancy K. Stoner
Acting Assistant Administrator

JOHN P. SARBANES
3RD DISTRICT, MARYLAND

COMMITTEE ON
NATURAL RESOURCES

COMMITTEE ON
SCIENCE, SPACE, AND TECHNOLOGY

Congress of the United States
House of Representatives
Washington, DC 20515-2003
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April 11, 2011

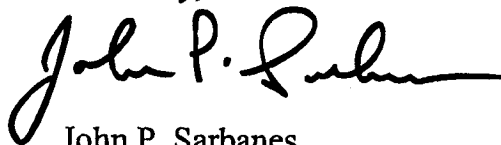
Mr. David McIntosh
Associate Administrator
Environmental Protection Agency
Congressional and Intergovernmental Relations
1200 Pennsylvania Avenue
Washington, DC 20460-0003

Dear Mr. McIntosh:

I have been contacted by my constituent (b) (6) [REDACTED] [REDACTED] [REDACTED] has contacted my office with regards to what he believes to be incessant and unwarranted fines levied at his dental practice by the EPA. These fines stem from violations of EPA regulations on X-ray emissions. (b) (6) [REDACTED] believes that he has taken all EPA mandated steps to resolve the x-ray problem, yet he is still receiving fines and is uncertain as to how to proceed.

I have attached a copy of the signed privacy release from the constituent and a copy of his correspondence to me describing the situation. I respectfully request that your office please look into this matter and provide my office with a report so that I may respond to my constituent appropriately. Please direct responses, questions, and concerns to my constituent services representative Arinze Nwokolo on 410.832.8890 or fax 410.832.8898 or email nwora.nwokolo@mail.house.gov. Thank you very much.

Sincerely,



John P. Sarbanes
Member of Congress

JPS/nn

04-07-11:10:00PM:



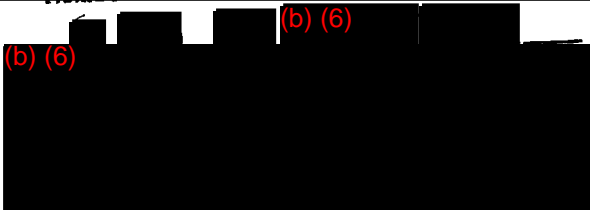
CONGRESSMAN JOHN P. SARBANES
Constituent Service Request Form

(b) (6)



(b) (6)

(b) (6)



Federal Agency Involved:

ID# or Case#

Email:

Brief Description of the Problem*: Dept. of Environment
said we had a problem in
our R-Rep department that was
reported by Attorney Morris
Randy. We addressed these
concerns and corrected them.
We were fixed and made all
the necessary corrections.

*Please attach an explanation of your situation and copies of pertinent documents, letters, etc.

Disclosure Authorization

I am aware that Public Law 93-579 (the Privacy Act of 1974) prohibits the release of personal information contained in my records without my permission.

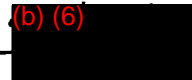
I authorize The Dept of the Environment (Federal Agency)
to release information concerning my case/claim to Congressman John P. Sarbanes and his staff.

(b) (6)



Date:

(b) (6)



Third Party Disclosure (optional)

I hereby authorize Congressman John P. Sarbanes and his staff to discuss the results of this inquiry on my behalf with the following individual:

Signature:

Date:

Please return this completed form to:
U. S. Representative John P. Sarbanes
630 Baltimore Avenue, Suite 303 • Towson, Maryland 21204
Telephone: (410) 832-8890 • Fax: (410) 832-8898



**Congressman
John P. Sarbanes
Maryland 3rd Congressional District**

600 Baltimore Ave, Towson Maryland 21204

Phone: (410) 832-8890

Fax: (410) 832-8898

Date: 4/11/11

FROM:

____ Hon. John P. Sarbanes
____ Robert Beans
____ Cyndy Clausen
____ Lisa Dailey
____ Sue Kohn
____ Dave McDonald

____ Cecilia Simms
____ Brigid Smith
____ ☒ Arinze Nwokolo
____ District Office Intern

TO: Mr. David McIntosh

Receiving Fax Number: (202) 501 1519

Receiving Telephone Number: (202) 564-5200

Number of Pages (including this cover page): _____

Notes:

The information contained in this facsimile message is legally privileged and confidential information intended only for the recipient named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution of copy of this facsimile message is strictly prohibited. If you have received this message in error, please immediately notify us by telephone and return this message to us. Thank you

JOHN P. SARBANES
3RD DISTRICT, MARYLAND

COMMITTEE ON
NATURAL RESOURCES

COMMITTEE ON
SCIENCE, SPACE, AND TECHNOLOGY

Congress of the United States
House of Representatives
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FAX: (410) 295-1682

August 19, 2011

Mr. David McIntosh
Associate Administrator
Environmental Protection Agency
Congressional and Intergovernmental Relations
1200 Pennsylvania Avenue
Washington, DC 20460-0003

Dear Mr. McIntosh:

Enclosed, please find a copy of correspondence from my constituent (b) (6) [REDACTED].

This individual has expressed some concerns about information regarding a superfund site in Maryland. I would appreciate it if you would carefully review their comments and provide a response to the concerns.

Thank you for your attention to this matter.

Sincerely,



John P. Sarbanes
Member of Congress

JPS/jn

June 6, 2011

JUN 10 2011

Dear Congressman Sarbanes,

I am currently a student at Winston Churchill High School and have a few questions/complaints regarding Maryland Superfund Sites and the EPA. My A.P. U.S. Government and Politics class recently did a project on Superfund sites in Maryland, and my group was assigned the Kane & Lombard Street dump in Baltimore. To find information pertaining to the site my group and I used the EPA website and attempted to contact the site's remedial manager and community involvement coordinator. While the EPA's website had useful information, it was not thorough enough to use as the sole source of information for the project. As a result, we contacted the remedial project manager and community involvement coordinator. The remedial project manager responded to our questions right away, but stated that the community involvement coordinator is responsible for answering questions, such as ours, about the site. However, after three emails and a phone call the community involvement coordinator has still not responded. This was extremely frustrating because my group needed information that could only be provided by the community involvement manager, and we were thus forced to turn in an incomplete project. This was my first experience with the Government bureaucracy, and it was extremely discouraging. As a United States Congressman you are responsible to your constituents, no matter if they are old enough to vote. Because I could not obtain the needed information from the EPA I was wondering if you could answer my questions.

1. How is the community involved in the cleanup at this specific site, and what opportunities to help are being offered?
2. What are the specific responsible parties, and how each has been involved in the pollution and clean up of the site?
3. Did the parties involved acknowledged their responsibility or fought the site's classification as an NPL site?

Sincerely,

(b) (6)

A large black rectangular redaction box covers the signature area, with the text "(b) (6)" in red at the top left corner.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

SEP 12 2011

The Honorable John P. Sarbanes
U.S. House of Representatives
Washington, D.C. 20515-2003

Dear Representative Sarbanes:

Thank you for your August 19, 2011 letter to the U.S. Environmental Protection Agency (EPA) on behalf of your constituent, (b) (6), a student at Winston Churchill High School, regarding the Kane & Lombard Superfund site (Site) in Baltimore, Maryland.

At the time (b) (6) submitted his request to EPA for information regarding the Site, the EPA regional office had received 60 similar requests from students attempting to complete school projects. In an effort to be responsive to all the students' needs within a tight timeframe, we centralized the students' requests. I regret if (b) (6)'s concerns were not fully addressed.

(b) (6) inquired about community involvement activities associated with the Site. It is EPA's intent to encourage early and meaningful community participation during the cleanup of all Superfund sites. The foundation of Superfund's community involvement program is the belief that members of the public affected by a Superfund site have a right to know what EPA is doing in their community and be given the opportunity to provide input into the decision-making process.

There is a long history of community involvement associated with this Site. Throughout the years, EPA has issued cleanup progress and health fact sheets; distributed weekly update reports; developed periodic pollution reports; issued press releases and published public notices; conducted public meetings; developed community relations plans; responded routinely to citizen requests; and accepted formal comments from the public at key stages in the cleanup process. If your constituent is interested in viewing any of these community involvement products, reports, and summaries, they are available online at the following address:
http://loggerhead.epa.gov/arweb/public/search_results.jsp?siteid=MDD980923783

In response to (b) (6)'s questions regarding the list of Potentially Responsible Parties (PRPs), there are several associated with this Site, including: Browns Ferris Inc.; Constellation Power Source Generation; and Lucent Technologies. EPA, the State of Maryland, and a group of PRPs signed a Consent Decree in November of 1995, which required the PRPs to reimburse EPA and the State a total of \$6 million in past response costs at the Site. Under the Consent Decree, the PRPs are also operating and maintaining the barrier wall and the cap.

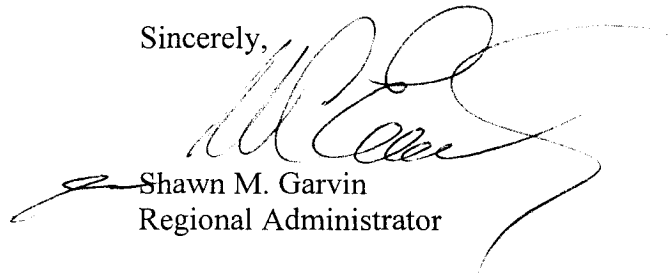


Since that time, under several Administrative Orders on Consent, the PRPs have completed various aspects of the investigation and cleanup of the Site; in particular, determining the nature and extent of groundwater contamination caused by releases from the Site. They are being responsive to all aspects involved in the cleanup of the Site.

I encourage (b) (6) to continue his studies about the environment and EPA's important mission of protecting human health and the environment.

If you have any questions, please do not hesitate to contact me or have your staff contact Mrs. Linda Miller, EPA's Maryland Liaison, at 215-814-2068.

Sincerely,

A handwritten signature in black ink, appearing to read "Shawn M. Garvin", with a long, sweeping horizontal line extending to the right.

Shawn M. Garvin
Regional Administrator

JOHN P. SARBANES

3RD DISTRICT, MARYLAND

COMMITTEE ON
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COMMITTEE ON
NATURAL RESOURCES

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FAX: (410) 295-1682

October 29, 2010

David McIntosh
Associate Administrator
Environmental Protection Agency
Congressional and Intergovernmental Relations
1200 Pennsylvania Avenue
Washington, DC 20460

Dear Mr.:

Enclosed, please find a copy of correspondence from my constituent (b) (6) [REDACTED].

This individual has expressed some concerns about the percentage of ethanol in gasoline. I would appreciate it if you would carefully review their comments and provide a response to the concerns.

Thank you for your attention to this matter.

Sincerely,



John P. Sarbanes
Member of Congress

JPS/jn

E-Mail Viewer

Message

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Attachments

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HTML

From: "webforms@sarbanes.house.gov" <webforms@sarbanes.house.gov>
Date: 10/13/2010 12:26:18 PM
To: "Congressman John Sarbanes" <md03ima@mail.house.gov>
Cc:
Subject: IMA MAIL ON Energy

Dear Congressman Sarbanes,

I read with alarm today the the EPA is actually going to proceed to mandate 15 percent ethanol in gasoline. This is an outrage. Adding ethanol to gasoline, even at the current 10 percent level, is not cost efficient, creates higher food prices, creates food shortages, and does nothing to improve air quality. Also, it is destructive to small engines (such as the outboard motors that I and many other of your constituents use on their boats) and even to larger engines that have not been sufficiently detuned to accept it. God help anybody who tries to use 15 percent ethanol gasoline in an older (or antique) car. Good economics and good science both say that ethanol in gasoline is a very bad idea. I sincerely hope that Congress will take some action to rein in what appears to be a very irresponsible federal agency.

(b) (6)

[Close](#)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

DEC 10 2010

OFFICE OF
AIR AND RADIATION

The Honorable John Sarbanes
U.S. House of Representative
Washington, D.C. 20515-2003

Dear Congressman Sarbanes:

Thank you for your October 29, 2010, letter to the U.S. Environmental Protection Agency (EPA) asking us to respond to the concerns of your constituent, (b) (6). (b) (6) has strong opinions about EPA's actions to allow the ethanol content of gasoline to increase from 10 to 15 volume percent (E15).

Although (b) (6) characterizes our action as a mandate to use E15, the waiver only provides a legal approval for the use of up to E15 in certain specified vehicles. It does not require any party to produce, sell, or use the fuel. Following enactment of the 2007 Energy Independence and Security Act, the Department of Energy (DOE) undertook a multi-million dollar testing program to determine the potential impact of higher ethanol levels in gasoline on the emission control systems of certain model year vehicles. In September, DOE completed testing of model year (MY) 2007 and newer cars, light-duty trucks, and sport-utility vehicles (collectively "light-duty motor vehicles"), and the test results provided important information for making a decision on the use of E15 in these vehicles. In light of that information, on October 13, 2010, we announced that we were partially approving the E15 waiver request for use in MY2007 and newer light-duty motor vehicles.

At the same time, we did not approve the use of E15 in model year 2000 and older light-duty motor vehicles, heavy-duty gasoline engines, motorcycles, and all small off-road engines, including boat engines, which Mr. Eisenhart seems to support. In addition, we conditioned the waiver allowing E15's use in MY2007 and newer light-duty motor vehicles on the implementation of several measures to reduce the potential for misfueling of E15 into vehicles, engines, and equipment not approved for its use, as well as fuel and ethanol quality. The Agency simultaneously issued a proposed rule that would help address potential misfueling concerns. The waiver decision and proposed rule are available on EPA's website at <http://www.epa.gov/otaq/regs/fuels/additive/e15/index.htm>.

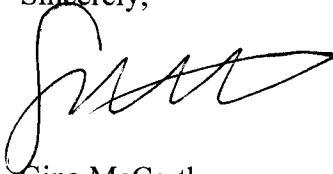
Regarding MY2001-2006 light-duty motor vehicles, we stated in the October 13 partial waiver decision that DOE testing was scheduled to be completed by the end of November and

that we would make the test results publicly available and a decision shortly after that. Since then, some issues arose concerning two of the vehicles in the test program and DOE is now addressing those issues with further testing. DOE now expects that testing will be completed by the end of December. We will make our waiver decision on the use of E15 in MY2001-2006 light-duty motor vehicles shortly after receiving the last DOE data.

It is important to remember that there are a number of additional steps that must be completed – many of which are not under EPA's jurisdiction – before E15 can be distributed and sold. These include but are not limited to changes in some states' laws to allow for the use of E15 and submittal of a fuels registration application for E15 by ethanol producers.

Again, thank you for your letter. If you have further questions, please contact me or your staff may call Diann Frantz in EPA's Office of Congressional and Intergovernmental Relations at (202) 564-3668.

Sincerely,

A handwritten signature in black ink, appearing to read 'Gina McCarthy', with a stylized, flowing script.

Gina McCarthy,
Assistant Administrator

JOHN P. SARBANES

3RD DISTRICT, MARYLAND

COMMITTEE ON
NATURAL RESOURCES

COMMITTEE ON
SCIENCE, SPACE, AND TECHNOLOGY

Congress of the United States

House of Representatives

Washington, DC 20515-2003

www.sarbanes.house.gov

2444 RAYBURN HOUSE OFFICE BUILDING

(202) 225-4016

FAX: (202) 225-9219

600 BALTIMORE AVENUE

SUITE 303

TOWSON, MD 21204

(410) 832-8890

FAX: (410) 832-8898

44 CALVERT STREET

SUITE 349

ANNAPOLIS, MD 21401

(410) 295-1679

FAX: (410) 295-1682

January 26, 2012

Mr. David McIntosh
Associate Administrator
Environmental Protection Agency
Congressional and Intergovernmental Relations
1200 Pennsylvania Avenue
Washington, DC 20460-0003

Dear Mr. McIntosh:

Enclosed, please find a copy of correspondence from my constituent (b) (6).

This individual has expressed support for E85 ethanol blended gasoline. I would appreciate it if you would carefully review their comments and provide a response to the concerns.

Thank you for your attention to this matter.

Sincerely,



John P. Sarbanes
Member of Congress

JPS/jn

E-Mail Viewer

Message	Details	Attachments	Headers	Source
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[HTML](#)

From: "webforms@sarbanes.house.gov" <webforms@sarbanes.house.gov>
Date: 12/9/2011 2:17:18 PM
To: "Congressman John Sarbanes" <md03ima@mail.house.gov>
Cc:
Subject: IMA MAIL ON Energy

I am writing to ask for your support for E85, America's most widely adopted alternative fuel.

E85 could be an unintended casualty of the upcoming expiration of the current tax subsidy for ethanol. While E85 is derived from ethanol, it is not purely a fuel additive like the E10 blend found in gas stations across the country. It is a true alternative to petroleum for over 9 million American Flex Fuel vehicle drivers, and has been recognized as such in federal legislation.

The national ethanol market is mature and will be only marginally impacted by the end of the current credit in 2011. However, sales of E85 will dramatically decline, as E85 requires the current \$0.38 per gallon incentive to allow motorists to achieve a competitive price on a Gasoline Gallon Equivalency to regular unleaded gasoline. This price parity can be achieved by including E85 in the Alternative Fuel Credit, pursuant to its original designation by Congress.

Failure to preserve the E85 option threatens the investments in alternative fuel retail infrastructure made by thousands of small business owners across the country. It may also negatively impact the future sale of next generation of biofuels made from non-food sources such as farming byproducts, algae biomass and household waste.

I ask that you support the inclusion of E85 in the Alternative Fuel Credit in the tax code, as well as the extension of that credit beyond 2011.

Thank you for your time and consideration.

Close



Letter AL-12-000-1864 from Sarbanes please close it out.
Diann Frantz to: Kathy Mims, Cassandra Eades

02/15/2012 02:17 PM

Congressman Sarbanes office sent the letter listed below to EPA for response. The letter is not within the jurisdiction of EPA. Please close the letter out.

Thanks

Diann Frantz
Congressional Liaison
Office of Congressional Affairs
U.S. Environmental Protection Agency
(p)202-564-3668

CMS New Assignment - - AL-12-000-1864 RE: E85 from Rep. Sarbanes. Due Feb. 8, 2012

Congress of the United States
House of Representatives
Washington, DC 20515-2003

www.sarbanes.house.gov

February 25, 2015

The Honorable Gina McCarthy
Administrator
Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, D.C. 20460

Dear Administrator McCarthy,

I write to urge the Environmental Protection Agency (EPA) to proceed expeditiously in protecting Americans from the dangers of smog pollution by strengthening the National Ambient Air Quality Standards for ground-level ozone. The American Lung Association describes ozone pollution, or smog, as equivalent to sunburn on the lungs, with long-term exposure linked to chronic asthma, permanent lung damage and abnormal lung development. The current 8-hour standard for ozone of 75 parts per billion (ppb) does not adequately protect the public from these harmful health effects and should be lowered to between 60 and 70 ppb.

Under the Clean Air Act, the EPA has the responsibility and the authority to set federal air quality standards necessary to protect public health. The EPA Clean Air Scientific Advisory Committee has made it clear that the scientific evidence supports a stronger ozone standard. The current standard places the public, especially children, seniors and persons suffering from respiratory diseases, at risk from the life-threatening and chronic impacts of smog pollution. Smog increases the likelihood and severity of asthma attacks, keeping children out the classroom and in the emergency room. Smog also disproportionately affects communities of color, as African Americans and Latinos are more likely to live in counties with poor air quality. Revising the ozone air quality standard will save lives and yield billions of dollars in health benefits. The EPA estimates that by limiting smog to between 65 and 70 ppb, we can prevent up to 4,730 premature deaths, 980,000 asthma attacks in children and over one million missed work and school days across the country each year.

I serve Maryland's 3rd District, which includes portions of the Washington-Baltimore-Arlington Metropolitan Area identified by the American Lung Association as the most polluted city on the East coast. With positive local policies, Maryland has raised the number of moderate and good air quality days, but this work is not done. While the Maryland Department of the Environment has taken strides to curb smog pollution from sources within our state, we will continue to suffer from pollution transported from other states without stronger federal standards.

I look forward to working with you on this and many other issues. I thank you for your attention to this matter.

Sincerely,



John P. Sarbanes
Member of Congress



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

MAR 27 2015

OFFICE OF
AIR AND RADIATION

The Honorable John P. Sarbanes
U.S. House of Representatives
Washington, D.C. 20515

Dear Congressman Sarbanes:

Thank you for your letter of February 25, 2015, to U.S. Environmental Protection Agency Administrator Gina McCarthy, supporting the EPA's recent Ozone National Ambient Air Quality Standards (NAAQS) proposed rule. The Administrator asked that I respond on her behalf.

As you know, the EPA sets NAAQS to protect public health and the environment from six common pollutants, including ground-level ozone. The Clean Air Act requires the EPA to review these standards every five years to ensure that they are sufficiently protective. On November 25, 2014, the EPA proposed to strengthen the National Ambient Air Quality Standards (NAAQS) for ground-level ozone, based on extensive scientific evidence about ozone's effects. The proposed updates will improve public health protection, particularly for children, the elderly, and people of all ages who have lung diseases such as asthma. The updates also will improve protection for trees, plants and ecosystems. For more information about this proposal, please visit <http://www.epa.gov/air/ozonepollution/actions.html>. We appreciate your comments on the ozone proposal and will place them in the docket.

Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Kevin Bailey in the EPA's Office of Congressional and Intergovernmental Relations at bailey.kevinj@epa.gov or at (202) 564-2998.

Sincerely,

A handwritten signature in dark ink, appearing to read "J.G. McCabe", is located below the "Sincerely," text.

Janet G. McCabe
Acting Assistant Administrator

Congress of the United States
House of Representatives
Washington, DC 20515-2003

www.sarbanes.house.gov

March 23, 2016

Ms. Laura Vaught
Associate Administrator for Congressional and Intergovernmental Affairs
Environmental Protection Agency
1200 Pennsylvania Avenue NW
Room 3426 ARN
Washington, DC 20460-0001

Dear Ms. Vaught:

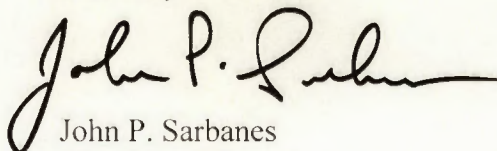
Enclosed, please find a copy of correspondence from my constituent (b) (6).

This individual has expressed some concerns about an EPA proposal that potentially prohibits the conversion of vehicles into racecars. I would appreciate it if you would carefully review their comments and provide a response to these concerns.

Should you have any questions about this matter, please contact Peter Gelman of my staff at 202-225-4016.

Thank you for your attention to this matter.

Sincerely,



John P. Sarbanes
Member of Congress

JPS/pg

Email Viewer

Message

Details

Attachments

Headers

Source

[HTML](#)

From: "webforms@hhws-www2.house.gov" <webforms@hhws-www2.house.gov>

Date: 2/10/2016 11:05:26 PM

To: "md03ima@mail.house.gov" <md03ima@mail.house.gov>

Cc:

Subject: IMA MAIL ON Environment

<APP>CUSTOM

<PREFIX>Mr</PREFIX>

<FIRST> (b) (6) </FIRST>

(b) (6)

<ISSUE>Environment</ISSUE>

<MSG>

Hello Representative Sarbanes! First I would like to thank you for taking the time out of you busy schedule to read my email. I am contacting you as a concerned citizen and a automobile enthusiast about the EPA's proposal to prohibit the conversion of vehicles into race cars. As a automobile enthusiast, cars are not just a hobby for me they are my passion! To have the ability to turn the ordinary into extraordinary in my opinion is something so special words can't begin to describe it. I have a car that I've been working on for over 7 years, and in that time it has become a work of art. I travel a lot to attend car shows, mostly shows that are for some sort of charity. Ever since I was a little boy, it has been my dream to own a sports car. Now that my dream in finally here, it has the potential of being crushed by the EPA. I beg you not to let that happen. Please don't let my and millions of other peoples hobby and dreams die with this proposal by the EPA. So far I've only spoken about my dreams and hobbies, I haven't even begun to speak on the countless jobs and businesses that will suffer with this proposal. I beg you to PLEASE tell the EPA to withdraw it's proposal to prohibit the conversion of vehicles into race cars. Thank you for your time!!

</MSG>

<RSP></RSP>

*****Additional Information:*****

X-URL: https://sarbans.house.gov/htbin/formproc_za/zip-auth.txt%26form%3D/contact/email-me/email-me-bills-zip-authenticated%26nobase%26fpGetVer%3D2

User Agent: Mozilla/5.0 (Windows NT 10.0; WOW64) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/48.0.2564.103 Safari/537.36

X-Remote-Host: 96.244.218.88 X_FORWARDED_FOR:96.244.218.88, 184.26.136.142, 23.79.240.30



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

MAY 17 2016

OFFICE OF
AIR AND RADIATION

The Honorable John P. Sarbanes
U.S. House of Representatives
Washington, D.C. 20515

Dear Congressman Sarbanes:

Thank you for your letter of March 23, 2016, regarding language in the Clean Air Act rulemaking (the "Phase 2 HD GHG Proposal") and its potential effect on competition motorsports. I appreciate your interest in this matter, and welcome the opportunity to set the record straight.

The U.S. Environmental Protection Agency is committed to protecting public health by ensuring that cars driven on public roads meet pollution standards under the Clean Air Act. Congress required these standards for good reason: emissions from motor vehicles have been linked to premature death in people with heart or lung disease, aggravated asthma, decreased lung function, and increased respiratory problems.

I'd also like to make it clear that the EPA supports motorsports and its contributions to the American economy and communities all across the country. EPA's focus is not on vehicles built or used exclusively for racing, but on companies that don't play by the rules and that make and sell products that disable pollution controls on motor vehicles used on public roads. These unlawful defeat devices pump dangerous and illegal pollution into the air we breathe.

The proposed language in the Clean Air Act rulemaking was never intended to represent any change in the law or in EPA's policies or practices towards dedicated competition vehicles. Since our attempt to clarify led to confusion, the EPA has decided to eliminate the proposed language from the final rule.

We will continue to engage with the racing industry and others about ways to ensure that we support racing and also keep our focus where it has always been: reducing pollution from the cars and trucks that travel along America's roadways and through our neighborhoods.

Again, thank you for your letter. If you have further questions or concerns, please contact me or your staff may contact Patricia Haman in the EPA's Office of Congressional and Intergovernmental Relations at haman.patricia@epa.gov or at (202) 564-2806.

Sincerely,

A handwritten signature in blue ink, which appears to read "Janet G. McCabe", is positioned above the typed name.

Janet G. McCabe
Acting Assistant Administrator

Congress of the United States
Washington, DC 20515

June 21, 2017

The Honorable Scott Pruitt
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue NW
Washington, D.C. 20460

Dear Administrator Pruitt:

We write to you with concerns of potential conflicts of interest and impartiality regarding Carl Icahn's role as special adviser on regulatory policy in the Trump Administration. Recent reports about Mr. Icahn's actions with respect to the Renewable Fuel Standard (RFS) program have raised significant ethical and legal concerns given his oil refinery business interests.¹ The Committee has a longstanding interest in ensuring that the Administration operates transparently and in compliance with all applicable conflict of interest regulations and policies.

Pursuant to section 211(o) of the Clean Air Act (42 U.S.C. 7545(o)), the RFS program requires oil refiners and importers to blend renewable fuel into transportation fuel or obtain credits (called Renewable Identification Numbers or "RINs") to meet their annual obligations under the law.² The U.S. Environmental Protection Agency (EPA) received several petitions urging the Agency to change the point of obligation for the RFS program by shifting it away from refiners and importers. In November 2016, EPA issued a proposed denial of these petitions and initiated a public comment process for its decision.³

¹ *Icahn Raises Ethics Flags with Dual Roles as Investor and Trump Advisor*, New York Times (Mar. 26, 2017); *Icahn Guides Trump's Policy and Scores \$60 Million*, Bloomberg News (May 24, 2017).

² U.S. Environmental Protection Agency, *Program Overview for Renewable Fuel Standard Program* (Aug. 16, 2016) (www.epa.gov/renewable-fuel-standard-program/program-overview-renewable-fuel-standard-program).

³ U.S. Environmental Protection Agency, *Proposed Denial of Petitions for Rulemaking to Change the RFS Point of Obligation* (Nov. 2016) (www.epa.gov/sites/production/files/2016-11/documents/420d16004.pdf).

In December, then President-elect Trump named Mr. Icahn his special adviser on regulatory reform.⁴ In describing Mr. Icahn's new role, President-elect Trump remarked that "[h]is help on the strangling regulations that our country is faced with will be invaluable."⁵ Mr. Icahn is the majority shareholder of Icahn Enterprises, "a diversified holding company engaged in ten primary business segments: Investment, Automotive, Energy, Gaming, Railcar, Mining, Food Packaging, Metals, Real Estate and Home Fashion."⁶ As special adviser, Mr. Icahn purportedly will oversee the overhaul of rules promulgated by federal agencies that regulate all areas of his business portfolio.

Within the energy sector, Mr. Icahn owns an 82 percent stake in CVR Energy (CVR), an oil refiner.⁷ Notably, CVR, as an oil refiner, is required to meet the blending obligations under the RFS.⁸ Jack Lipinski, chief executive officer of CVR Refining, remarked that the obligations "continue to be an egregious tax on our business and have become our single largest operating expense, exceeding labor, maintenance and energy costs."⁹ The company estimates that it would cost \$200 million to meet those obligations this year.¹⁰ Two petroleum refiners that are subsidiaries of CVR filed a lawsuit against the EPA in February challenging the 2017 biofuel mandate.¹¹

According to *Forbes*, one day after Mr. Icahn was named special adviser, "[s]hares of his firm Icahn Enterprises surged 8 percent...boosting Icahn's \$6.8 billion stake to \$7.3 billion."¹²

⁴ Office of the President Elect and the Vice President Elect, *President-Elect Donald J. Trump Names Carl Icahn Special Advisor to the President on Regulatory Reform* (Dec. 21, 2016) (www.greatagain.gov/icahn-advisor-regs-cd3c949af118#.7f2bjsilm).

⁵ *Id.*

⁶ Icahn Enterprises L.P., *Welcome* (2017) (www.ielp.com).

⁷ *Carl Icahn's Shares in CVR Energy Have Doubled Since Trump Won the Election*, CNBC (Jan. 27, 2017).

⁸ *Oil, Biofuels Groups Urge U.S. EPA Deny Refiner Requests to Tweak RFS Program*, Reuters (Mar. 2, 2017).

⁹ *Oil Refiners Cry Foul as 'RINsanity' Returns Amid Margin Squeeze*, Bloomberg News (Aug. 4, 2016).

¹⁰ *Carl Icahn, Critic of the EPA, Is Helping Donald Trump Shape It*, Wall Street Journal (Dec. 4, 2016).

¹¹ *Icahn Subsidiaries Sue EPA Over 2017 Biofuel Mandate*, Bloomberg BNA (Feb. 10, 2017).

¹² *Trump Advisor Icahn Gains \$510 Million Day After Accepting Role*, *Forbes* (Dec. 22, 2016).

CVR saw greater gains, with shares rising by 10 percent.¹³ According to press accounts, Mr. Icahn's investments have continued to increase in value since the start of the new administration. The *New York Times* reports that CVR remains "up 50 percent from the pre-election level, generating a windfall, at least on paper, of \$455 million."¹⁴

As special adviser, Mr. Icahn has been vocal in his criticism of the RFS, calling it "the quintessential example of the type of insane regulations throttling our economy that Donald Trump said all throughout his campaign he wanted to see changed."¹⁵ Mr. Icahn has also remarked upon his role in screening candidates for the role of EPA Administrator, stating that he specifically inquired about your position regarding the renewable fuels program.¹⁶ According to Mr. Icahn, you felt "strongly about the absurdity of these [RFS] obligations."¹⁷

On February 27th, *Bloomberg* reported that Mr. Icahn and the Renewable Fuels Association "presented the White House with a memorandum containing draft language" that could be used to change the RFS.¹⁸ This agreement would shift the point of obligation in return for the ability to sell gasoline blends containing 15 percent ethanol (E15) year-round.¹⁹ Upon news of the deal, CVR's shares again climbed by 6 percent over two days, temporarily "increas[ing] the value of Icahn's stake by \$101 million."²⁰ More recently, CVR revealed a savings of \$60 million in the first quarter of the year due to expectations that regulations for the RFS program would ease.²¹ Because CVR's refineries purchase RINs to meet their obligations under the RFS program, changes in the price of RINs have a direct financial impact on CVR's position.

¹³ *Id.*

¹⁴ *Icahn Raises Ethics Flags With Dual Roles as Investor and Trump Advisor*, New York Times (Mar. 26, 2017).

¹⁵ *White House Debates Icahn Plan Revamping Ethanol Rule*, Bloomberg News (Mar. 1, 2017).

¹⁶ See note 14.

¹⁷ *Icahn: Pruitt a Great Pick for EPA*, Bloomberg Politics (Dec. 7, 2016).

¹⁸ *Trump Said to Consider Biofuel Plan Between Icahn, Ethanol Group*, Bloomberg News (Feb. 28, 2017).

¹⁹ *Id.*

²⁰ *Icahn Dismisses Conflict of Interest Concerns as 'Absurd,'* CNN Money (Mar. 8, 2017).

²¹ *Icahn Guides Trump's Policy and Scores \$60 Million*, Bloomberg News (May 24, 2017).

These reports raise significant concerns regarding Mr. Icahn's ability to advise President Trump impartially on regulatory matters that impact Mr. Icahn's financial interests. This is especially troubling because, as an unpaid adviser, Mr. Icahn presumably has not undergone a review by the Office of Government Ethics and is not subject to conflicts of interest regulations applicable to government employees.

It is critically important that all federal agencies maintain adequate safeguards against undue influence by individuals who stand to financially profit from regulatory actions. EPA's mission is to protect human health and the environment. The Agency must maintain its independence from any attempt to manipulate regulatory policy to favor the financial interests of specific individuals, companies, or industries. To that end, we respectfully request responses to the following:

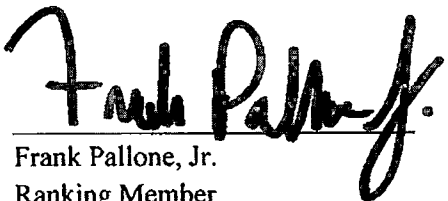
1. What is Carl Icahn's current and anticipated future role in the discussion or development of any Agency action regarding the RFS program under section 211(o) of the Clean Air Act (42 U.S.C. 7545(o))?
2. Please provide a copy of all communications or memos exchanged between Carl Icahn and any Agency personnel regarding the development or issuance of any Agency action relating to the RFS program.
3. What disclosure is required by the Agency when it receives communication from the President's unpaid advisers relating to particular Agency actions, including instances where the action may impact the financial interests of the adviser? What reporting systems does the Agency use to report these disclosures?
4. Please provide a schedule of all meetings and telephone calls between any EPA personnel and Mr. Icahn or any representative of Mr. Icahn from January 20, 2017 to present, including the date and the name and title of all participants.
5. What Agency policies and procedures govern disclosure of non-public confidential, or otherwise privileged information to individuals serving as unpaid advisers to the President? What actions has the Agency taken to date to assess the sufficiency of these policies, and how will the Agency otherwise ensure that unpaid advisers do not receive information not otherwise available to the public?
6. What Agency policies or procedures ensure that unpaid advisers do not have undue access to EPA officials, including yourself? Please provide copies of all

applicable policies, and describe any Agency actions taken to assess whether these policies ensure unpaid advisers do not have unequal access to Agency officials compared to members of the public.

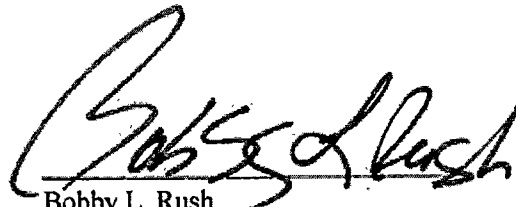
7. What other actions has the Agency taken to safeguard from undue influence by the President's unpaid advisers, especially those with potential financial conflicts of interest with Agency actions?

Thank you for your attention to this important issue. We respectfully request a response no later than Monday, June 30, 2017. Should you have any questions, please contact Jean Fruci or Jon Monger with the Committee on Energy and Commerce at (202) 225-3641.


Sincerely,



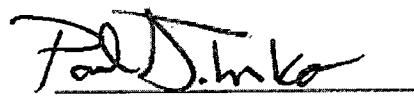
Frank Pallone, Jr.
Ranking Member
Committee on Energy and Commerce



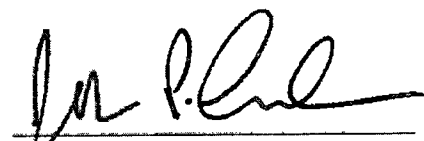
Bobby L. Rush
Ranking Member
Subcommittee on Energy



Diana DeGette
Ranking Member
Subcommittee on Oversight and Investigations



Paul D. Tonko
Ranking Member
Subcommittee on Environment



John P. Sarbanes
Chair
Democracy Reform Task Force

Congress of the United States
House of Representatives
Washington, DC 20515-2003
www.sarbanes.house.gov

June 16, 2017

Troy Lyons
Associate Administrator for Congressional and Intergovernmental Relations
Environmental Protection Agency
1200 Pennsylvania Avenue, Nw, Room 3426 Wjc
Washington, DC 20460

Dear Mr. Lyons:

Enclosed, please find a copy of correspondence from my constituent

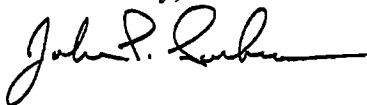
(b) (6)

This individual is inquiring about his company's petition results awaiting publication in the Federal Register. I would appreciate it if you would carefully review their comments and provide a response to these concerns.

Should you have any questions about this matter, please contact Lucy Shaw of my staff at 202-225-4016.

Thank you for your attention to this matter.

Sincerely,



John Sarbanes
Member of Congress

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(b) (6)

I am an owner of a small agricultural R&D company in Maryland called Plant Sensory Systems (PSS). My company has developed high sugar-producing beets that can be used for the production of biofuel. PSS is working with a farmer and land manager in central Florida to install a 5-million-gallon a year ethanol facility. The farmer plans to use sugar beets, in contrast to corn, as the primary feedstock. Beets produce high tonnage per acre with low inputs of valuable resources, such as water and fertilizer.

As a feedstock for biofuel, beets have lower greenhouse gas emissions, a lower carbon footprint, and produce more than twice the biofuel per acre compared with corn. In addition, beets can be grown in Florida, a state that has been hit hard by loss of citrus trees due to the citrus greening disease. Approximately 500K acres of citrus groves are fallow in Florida due to citrus greening. The disease has affected two important agriculture sectors in Florida, citrus and cattle producers. Citrus growers are looking for replacement crops and cattlemen are looking for an alternative to the citrus pulp used as a feed and fiber additive for dairy cows. The plan is to use beets to produce sugar for ethanol and the beet fiber for dairy feed.

Our company has petitioned the EPA for approval of a beet-to-ethanol production pathway. The agency analyzed the first half of the pathway, that is, the production of beets as a feedstock for ethanol production. The analysis has been posted on the EPA website as a Notice of Opportunity to Comment since January 2017

(<https://www.epa.gov/sites/production/files/2017-01/documents/sugar-beets-fed-reg-notice-2017-01-18.pdf>). The EPA analysis is ready for publication in the Federal Register but the Notice awaits posting on the Federal Register from your office. Once the Notice is published on the Federal Register the 30-day public comment period can begin. The financing associated with this Florida-based ethanol project would be positively affected by this petition moving forward. The plan is start the project in 2017 and to have the facility fully operational by 2018.

Thank you for your support on this matter.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

AUG 10 2017

OFFICE OF
AIR AND RADIATION

The Honorable John Sarbanes
U.S. House of Representatives
Washington, D.C. 20515

Dear Congressman Sarbanes:

Thank you for your letter of June 16, 2017, to the U.S. Environmental Protection Agency regarding your constituent (b) (6) and his company's petition regarding approval of a beet-to-ethanol production pathway.

I am pleased to share with you that the notice of the EPA's analysis of (b) (6) petition was published in the Federal Register on (b) (6) opening a 30-day comment period that will close on August 25, 2017. We have notified (b) (6) that the notice has published in the Federal Register.

Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Patricia Haman in the EPA's Office of Congressional and Intergovernmental Relations at haman.patricia@epa.gov or (202) 564-2806.

Sincerely,

A handwritten signature in blue ink, appearing to read "Sarah Dunham".

Sarah Dunham
Acting Assistant Administrator

Congress of the United States
Washington, DC 20515

June 29, 2017

Administrator Scott Pruitt
Environmental Protection Agency (EPA)
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Attention: Docket ID No. EPA-HQ-OW-2017-0203

Re: Request for Extension of Comment Period on EPA and Corps Proposed Rule Defining Waters of the United States under the Clean Water Act.

Dear Administrator Pruitt:

We request a minimum 90 day extension to the proposed 30-day comment period to rescind the 2015 Clean Water Rule, 80 Fed. Reg. 37054 (Jun. 29, 2015).

The Environmental Protection Agency and the U.S. Army Corps of Engineers (Corps) finalized the Clean Water Rule to clarify the scope of waters protected under the Clean Water Act. The EPA and the Corps solicited comments on the Rule for over 200 days. In accordance with Administrative Procedure Act, the agencies first established a public comment period for 90 days and extended the comment period twice in response to extension requests. The final rule reflected over 1 million public comments on the proposal; the substantial majority of which supported the Clean Water Rule.

The agencies also initiated an extensive public outreach effort, including over 400 meetings across the nation with various stakeholders, including but not limited to: states, small businesses, farmers, academics, miners, energy companies, counties, municipalities, environmental organizations, and other federal agencies. The agencies incorporated these comments into the final Clean Water Rule.

President Trump's Executive Order 13778 directs EPA and the Corps to evaluate whether to revise or rescind the Clean Water Rule, "as appropriate and consistent with law." We ask that as you examine the Clean Water Rule, like the prior administration, you engage in a thoughtful and comprehensive process bound in scientific fact.

Americans depend on clean water for their health and livelihood. More than 117 million Americans rely upon drinking water from public water systems that draw supply from headwater, seasonal, or rain-dependent streams that were vulnerable to pollution before the Clean Water Rule. As such, the decision to roll back the Clean Water Rule cannot be made in haste.

[illegible]

1. *Journal of the American Medical Association*, 1997; 277: 1033-1038.

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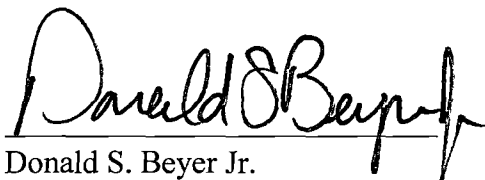
We are concerned that the EPA has provided limited time and opportunity for stakeholder involvement and official public comment. Any proposed rulemaking must include sufficient time and participation to gather input from concerned and affected parties, including those whose legal rights and responsibilities will be affected by this effort. For example, the 2015 Clean Water Rule provided legal certainty that regulatory-defined water features, such as stormwater control features, wastewater recycling structures, and puddles, are not covered by the Clean Water Act. However, that certainty would be eliminated if the 2015 Clean Water Rule were rescinded.

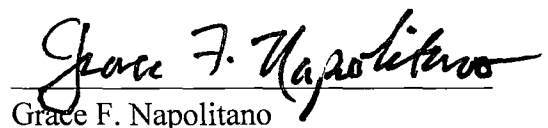
Given the history of engagement on this issue and the fact that parties may be subject to greater regulatory uncertainty by this effort, a comment period of 30 days does not allow for meaningful engagement from the public and stakeholders.

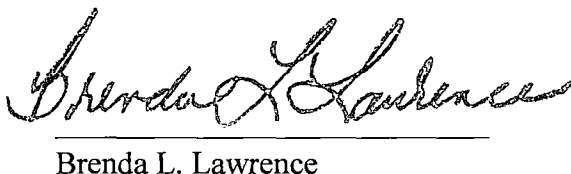
The Clean Water Rule is robust and ensures that water sources are protected by taking into account the connected systems of water, from wetlands and seasonal bodies of water to large rivers and lakes. The requirements of the Rule were meticulously developed and addressed longstanding uncertainty, improving our national commitment to protect not only America's water, but the American people. If the Clean Water Rule is revised or rescinded, the process must be comprehensive and deliberative.

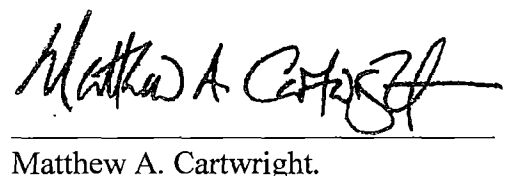
We ask that you take into consideration the opinions of the American public by extending the comment period, allowing for respectful debate. We look forward to hearing from you.

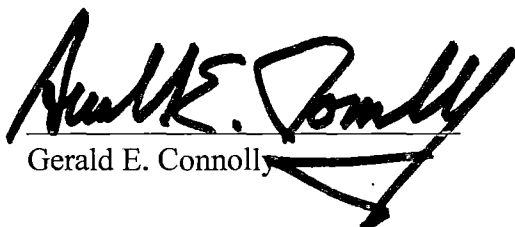
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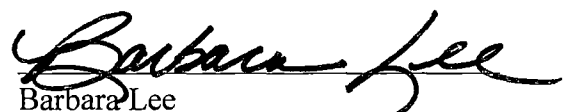

Donald S. Beyer Jr.


Grace F. Napolitano

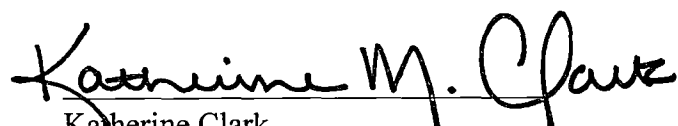

Brenda L. Lawrence

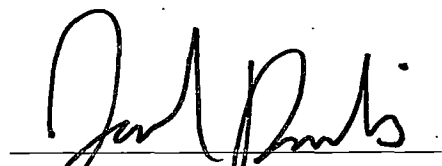

Matthew A. Cartwright.



Gerald E. Connolly


Barbara Lee

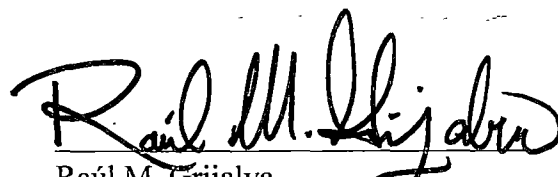

Keith Ellison

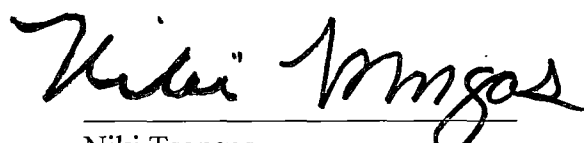

Katherine Clark


Jared Polis



Mike Quigley



Paul D. Tonko

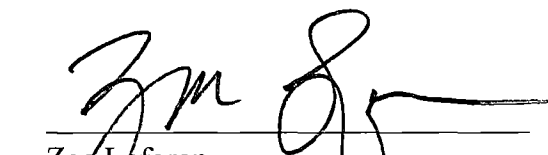

Raúl M. Grijalva

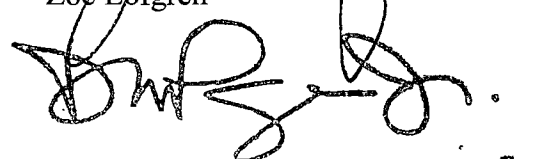

Niki Tsongas


Earl Blumenauer


Jackie Speier



Carol Shea-Porter

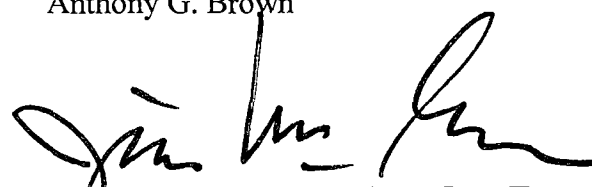

Zoe Lofgren


Donald M. Payne, Jr.


Debbie Dingell


Anthony G. Brown


Gwen Moore


James P. McGovern

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David Price

David E. Price

Carolyn B. Maloney

Carolyn B. Maloney

Alan Lowenthal

Alan Lowenthal

Jared Huffman

Jared Huffman

Madeleine Z. Bordallo

Madeleine Z. Bordallo

Jerry McNerney

Jerry McNerney

Daniel W. Lipinski

Daniel W. Lipinski

Gregorio Kili Camacho Sablan

Gregorio Kili Camacho Sablan

Cedric L. Richmond

Cedric L. Richmond

Nanette Diaz Barragan

Nanette Diaz Barragan

Louise M. Slaughter

Louise M. Slaughter

Colleen Hanabusa

Colleen Hanabusa

Bill Foster

Bill Foster

Jamie Raskin

Jamie Raskin

Bonnie Watson Coleman

Bonnie Watson Coleman

Betty McCollum

Betty McCollum

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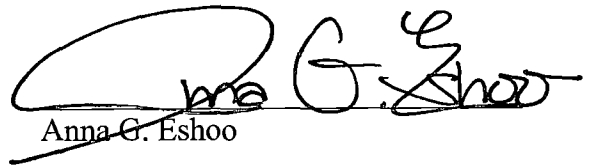
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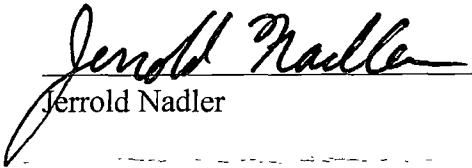
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John Sarbanes



Anna G. Eshoo



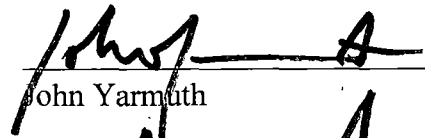
Jerrold Nadler



Ted W. Lieu



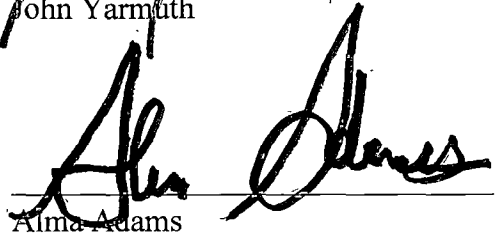
Suzanne Bonamici



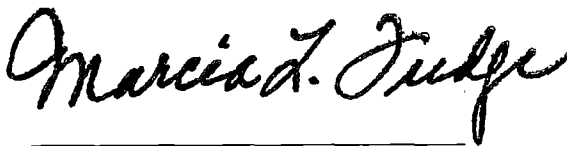
John Yarmuth



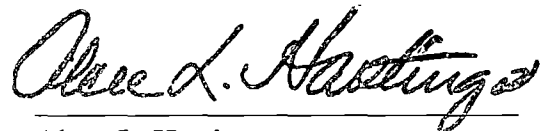
Steve Cohen



Alma Adams



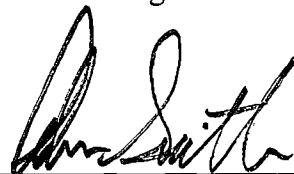
Marcia L. Fudge



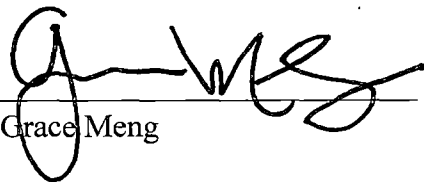
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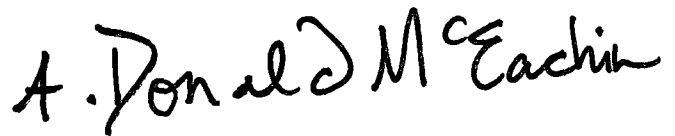
Beto O'Rourke



Adam Smith



Grace Meng



A. Donald McEachin



Mark Pocan



Tony Cardenas

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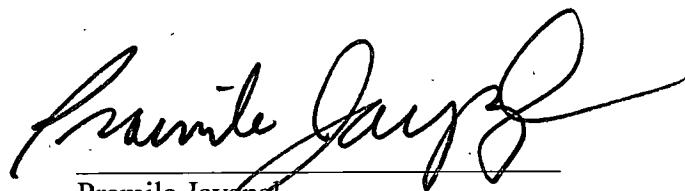
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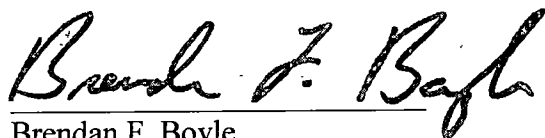
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Dwight Evans



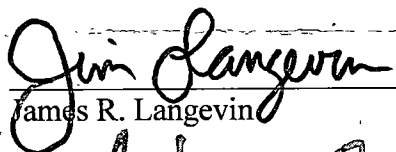
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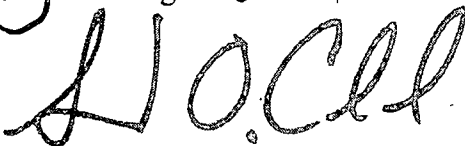
Brendan F. Boyle



Lisa Blunt Rochester



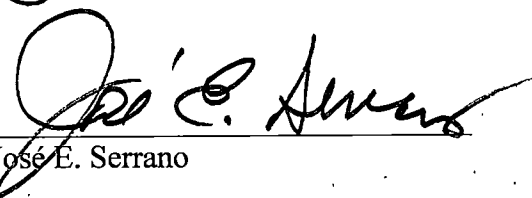
James R. Langevin



Salud O. Carbajal



Yvette D. Clarke



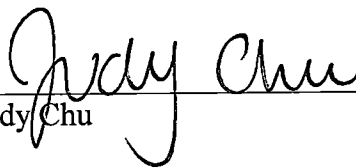
José E. Serrano



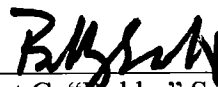
Joseph P. Kennedy, III



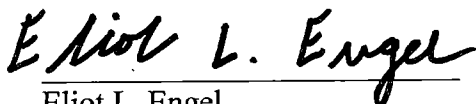
Daniel T. Kildee



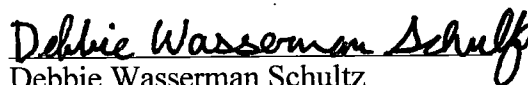
Judy Chu



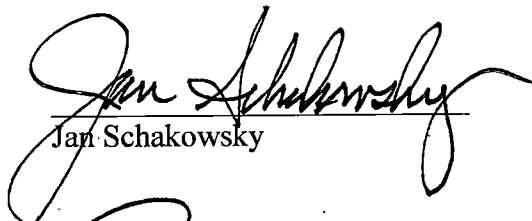
Robert C. "Bobby" Scott



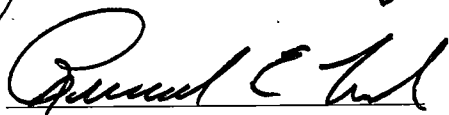
Eliot L. Engel



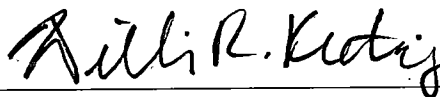
Debbie Wasserman Schultz



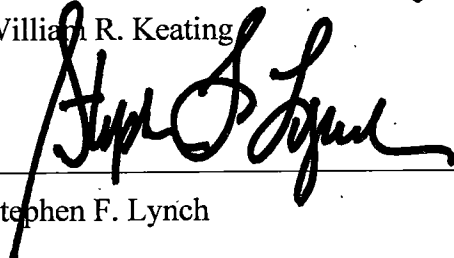
Jan Schakowsky



Richard E. Neal



William R. Keating



Stephen F. Lynch

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Doris Matsui

Doris Matsui

Richard M. Nolan

Richard M. Nolan

Elizabeth H. Esty

Elizabeth H. Esty

Pete Aguilar

Pete Aguilar

Adam B. Schiff

Adam B. Schiff

Marcy Kaptur

Marcy Kaptur

J. Luis Correa

J. Luis Correa

Scott Peters

Scott Peters

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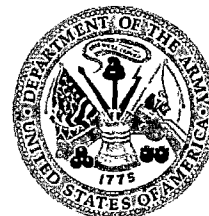
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AUG 31 2017



The Honorable John Sarbanes
U.S. House of Representatives
Washington, D.C. 20515

Dear Congressman Sarbanes:

Thank you for your letter of June 29, 2017, to the U.S. Environmental Protection Agency and the U.S. Department of the Army requesting an extension of the public comment period for the proposed Definition of "Waters of the United States" —Recodification of Pre-existing Rules. The formal comment period on the proposed rule began when it was published in the *Federal Register* on July 27, 2017.

We appreciate your interest in this important issue and share your goal of assuring maximum transparency in the rulemaking process, including an effective opportunity for public review and comment. We have recently extended the comment period for an additional 30 days. The extended comment period will now close on September 27, 2017. Notification of this extension was published in the *Federal Register* on Tuesday, August 22, 2017.

Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Denis Borum of EPA's Office of Congressional and Intergovernmental Relations at borum.denis@epa.gov or at (202) 564-4836 or Cindy Barger in Army's Office of the Assistant Secretary (Civil Works) at cindy.s.barger.civ@mail.mil or at (202) 761-0041.

Respectfully yours,

A handwritten signature in cursive script, reading "Michael H. Shapiro".

Michael H. Shapiro
Acting Assistant Administrator
Office of Water
Environmental Protection Agency

A handwritten signature in cursive script, reading "Douglas W. Lamont".

Douglas W. Lamont, P.E.
Senior Official Performing
the Duties of the Assistant Secretary
of the Army (Civil Works)

United States Senate

WASHINGTON, DC 20510-2002

March 1, 2006

Mr. Charles L. Engebretsen
Associate Administrator of Congressional and Intergovernmental Relations
Environmental Protection Agency
1200 Pennsylvania Ave. NW
Rm. 3426 ARN
Washington, D.C. 20460

Dear Mr. Engebretsen:

Enclosed is a copy of correspondence I received from (b) [REDACTED]. The letter raises some serious concerns about enforcement of pollution regulations. I would certainly appreciate it if you would carefully review this matter and provide me with an appropriate response.

Your attention to this matter is greatly appreciated.

With best regards,

Sincerely,



Paul Sarbanes
United States Senator

PSS/jiw
Enclosure

(b)
(6)

February 23, 2006

Paul Sarbanes
309 Hart Senate Office Bldg.
U.S. Senate
Washington, D.C. 20510

Dear Senator Sarbanes:

I am writing to ask you to press the EPA to enforce pollution regulations. I was appalled to open my newspaper and read that the EPA has exempted factory farms from pollution penalties (<http://www.guardian.co.uk/uslatest/story/0,,5582385,00.html>; Associated Press, originally published January 31, 2006). Specifically, it was reported that these farms will escape penalty for the next 4 years for polluting our nation's air and water with animal excrement, in exchange for data to help curb future pollution. Furthermore, these factories will be exempt from past violations.

As a researcher, I find it patently absurd that data would be needed from more than 2,500 factories over 4 years to identify means to curb future pollution. A simple search on Google Scholars identifies hundreds of articles on the reduction of factory farm pollution. For example, Wang (2003)¹ reports on steps the Chinese government is taking to "restrict the spreading of livestock pollution." A competent literature review could easily identify practical solutions to this problem. Maryland Senate President Mike Miller and House Speaker Mike Bush formed an Agricultural Stewardship Commission to investigate environmental issues related to farming practices, particularly farm wastes, and the health of the Chesapeake Bay. This investigation will result in recommendations for legislation. The Commission did not find it necessary to direct the Maryland Department of the Environment to refrain from enforcing pollution regulations to undertake this investigation.

Factory farms should be implementing the best available practices to reduce pollution. It is unconscionable to give them a free pass to pollute our nations air and water for the next 4 years. The list of impairments caused by such pollution is too long to cite here, but includes no-less-than intestinal diseases from *Cryptosporidium parvum*, *Giardia duodenalis*, *E. coli*, water pollution from nitrates, and respiratory impairments from toxic gases, produced by pollutants such as phosphorus and ammonium. I urge you to act to protect our health and environment.

I appreciate your attention to this matter.

Sincerely

(b) (6)

¹ Wang, X. (2003). Diffuse pollution from livestock feeding in China. Paper presented at Diffuse Pollution Conference, Dublin 2003.

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